

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:04cr233

UNITED STATES OF AMERICA

vs.

STACY JOAN BOGAN

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ORDER

THIS MATTER is before the Court upon motions of the defendant pro se to reexamine the calculation of criminal history points in her presentence report. (Doc. No. 35, 36).

The judgment imposing the defendant's sentence was entered on July 13, 2006. (Doc. No. 25). She has not provided any basis in law to litigate her claims more than two years after the judgment became final. Even the recent changes to the guidelines relating to the scoring of minor offenses and related cases do not entitle the defendant to relief because Amendment 709 is not retroactive. United States v. Wood, 526 F.3d 82, 88 (3d Cir. 2008); United States v. Cofield, 259 Fed. Appx. 575, 576 (4th Cir. 2007); USSG §1B1.10(c) (2008).

IT IS, THEREFORE, ORDERED that the defendant's motions are **DENIED**.

Signed: September 29, 2008



Robert J. Conrad, Jr.
Chief United States District Judge

